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His Majesties ANSWER,

BY WAY OF

DECLARATION

To a PRINTED PAPER,

ENTITULED,

A Declaration of both Houses of Parliament, in Answer to His Majesties last Message concerning the *Militia*.

Published by His Majesties Command.

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His Majesties ANSVVER, BY WAY OF DECLARATION

To a Printed Paper, intituled,

A Declaration of both Houses of Parliament, in Answer to His Majesties last Message concerning the *Militia*.

WE very well understand how much it is below the high and Royall dignity (wherein God hath placed Us) to take notice, much more to trouble Our Self with answering those many scandalous, seditious Pamphlets and Printed Papers, which are scattered with such great Licence throughout the Kingdom (notwithstanding Our earnest desire, so often in vain pressed for a Reformation) though We finde it evident, That the mindes

of many of Our weak Subjects have been, and still are poisoned by those means, and that so generall a Terrour hath possessed the mindes and hearts of all men, that whiles the Presses swarm (and every day produceth new Tracts against the established Government of the Church and State) most men want the Courage or the Conscience to write, or the opportunity and incouragement to publish such composed sober Animadversions, as might either preserve the mindes of Our good Subjects from such Infection, or restore and recover them when they are so infected: But We are contented to let Our Self fall to any Office that may undeceive Our People, and to take more pains this way by Our own Pen, then ever King hath done, when We finde any thing that seems to carry the reputation and authority of either, or both Houses of Parliament, and will not have the same refuted or disputed by common and vulgar Pens, till We are thoroughly informed, whether those Acts have in truth that Countenance and Warrant they pretend. Which regard of Ours We doubt not but in time will recover that due reverence (the absence whereof We have too much reason to complain) to Our Person and Our Messages, which in all ages hath been paid (and no doubt is due) to the Crown of England.

We have therefore taken notice of a Printed Paper, intituled, A Declaration of both Houses of Parliament, in Answer to Our last Message concerning the Militia, published by command; The which We are unwilling to believe (both for the Matter

Matter of it, the Expreſſions in it, and the Manner of publiſhing it) can reſult from the conſent of both Houſes; Neither do We know by what lawfull Command ſuch uncomely, irreverent mention of Us can be publiſhed to the World. And though Declarations of this kinde have of late (with too much boldneſſe) broken in upon Us and the whole Kingdom, when one, or both Houſes have thought fit to communicate their Councels and Reſolutions to the People; yet We are unwilling to beleeve, that ſuch a Declaration as this, ſhould be publiſhed in Anſwer to Our Meſſage, without vouchſafing at leaſt to ſend it to Us as their Anſwer; Their Buſineſſe for which they are met by Our Writ & Authoritie, being to Councell Us for the good of Our People, not to write againſt Us to Our People, and no conſent of Ours, for their long continuing together, inabling them to do any thing, but what they were firſt ſummoned by Our Writ to do. At leaſt We will beleeve, though miſunderſtanding and Jealouſie (the Juſtice of God will overtake the Fomenters of that Jealouſie, and the Promoters and Contrivers of that miſunderſtanding) might produce (to ſay no worſe) thoſe very untoward Expreſſions, that if thoſe Houſes had contrived that Declaration as an Anſwer to Our Meſſage, they would have vouchſafed ſome Anſwer to the Queſtion propoſed in Ours, which We profeſſed, did and muſt evidently prevail over Our underſtanding, and in their wiſdom and gravity they would have been ſure to have ſtated the Matters of Fact, as (at

least to ordinary understandings) might be unquestionable; Neither of which is done by that Declaration.

We desire to know why We were by that Act absolutely excluded from any Power or Authority in the execution of the Militia, and We must appeal to all the world, whether such an attempt be not a greater, and juster ground for Fear and Jealousie in Us, then any one that is avowed for those distructive Fears and Jealousies, which are so publikely owned, almost to the ruine of the Kingdom. But We have been told that We must not be jealous of Our great Councell of both Houses of Parliament; We are not, no more then they are of Us their King, and hitherto they have not avowed any jealousie of, or disaffection to Our Person; imputed all to Our evil Counsellours, to a Malignant party that are not of their mindes: So We do (and We do it from Our soul) profesle no Jealousie of Our Parliament, but of some turbulent, seditious, and ambitious Natures, which (being not so clearly discerned) may have an influence even upon the Actions of both Houses; And if this Declaration hath passed by such consent (which We are not willing to beleeve) it is not impossible but that the apprehension of such Tumults, which have driven Us from Our City of London for the safety of Our Person, may make such an impression in other men, (not able to remove from the danger) to make them consent, or not to own a dissent in matters not agreeable to their conscience or understanding.

We

We mentioned in that Our Answer Our dislike of the putting of their names out of the Bill whom before they recommended to Us in their pretended Ordinance, and the leaving out by speciall Provision the present Lord Major of London; to all which the Declaration affords no Answer, and therefore We cannot suppose it was intended for an Answer to that Our Message, which whosoever looks upon, will finde to be in no degree answered by that Declaration.

But it informs all Our Subjects, after the mention with what humility the Ordinance was prepared and presented to Us, (a matter very evident in the Petitions and Messages concerning it) and Our refusall to give Our consent, notwithstanding the severall reasons offered of the necessity thereof, for the securing of Our Person, and the Peace and Safety of Our People, (whether any such Reasons were given, the weight of them, and whether they were not clearly and candidly answered by Us, the World will easily judge) that they were at last necessitated to make an Ordinance by Authority of both Houses, to settle the Militia, warranted thereunto by the Fundamentall Laws of the Land: But if that Declaration had indeed intended to have answered Us, it would have told Our good Subjects what those Fundamentall Laws of the Land are, and where to be found; And would at last have mentioned one Ordinance from the first beginning of Parliaments to this present Parliament, which endeavoured to impose any thing upon the Subject without the

Kings

Kings consent; for of such, all the inquiry We can make, could never produce Us one instance. And if there be such a Secret of the Law, which hath lain hid from the beginning of the world to this time, and now is discovered to take away the just Legall Power of the King, We wish there be not some other secret (to be discovered when they please) for the ruine and destruction of the Liberty of the Subject: For no doubt, if the Votes of both Houses have any such Authority to make a new Law, it hath the same Authority to repeal the old, and then what will become of the long established Rights and Liberties of the King and Subject, and particularly of Magna Charta, will be easily discerned by the most ordinary understandings.

It is true, We did (out of the tenderness of the Constitution of the Kingdom, and care of the Law, which We are bound to defend, and being most assured of the unjustifiableness of the pretended Ordinance) invite and desire both Our Houses of Parliament to settle whatsoever should be fit of that nature, by Act of Parliament; But were We therefore obliged to passe whatsoever should be brought to Us of that kinde? We did say in Our Answer to the Petition of both Houses, presented to Us at York the 26 of March last (and We have said the same in other Messages before) that We alwayes thought it necessary the businesse of the Militia should be setled, and that We never denied the thing, onely denied the way, and We say the same still, since the many Disputes, and Votes upon

upon Lords Lieutenants, and their Commissions (which were begun by Us, or Our Father) had so discountenanced that Authority, which for many yeers together was happily looked upon, with Reverence and Obedience by the People; We did, and do think it very necessary, that some wholsome Law be provided for that businesse; but We declared in Our Answer to the pretended Ordinance We expected that that necessary Power should be first Invested in Us; before We consented to transferre it to other men: Neither could it ever be imagined, that We would consent that a greater Power should be in the hands of a Subject, then We were thought worthy to be trusted with Our Self; And if it shall not be thought fit to make a new Act, or Declaration in this point, We doubt not but We shall be able to grant such Commissions, which shall very Legally Enable those We trust to do all Offices for the Peace and Quiet of the Kingdom, if any Disturbance shall happen.

But that Declaration saith, We were pleased to offer them a Bill ready drawn, and that they (to expresse their earnest zeal to correspond with Our desire) did passe that Bill; yet all that Expression of Affection and Loyaltie, all that earnest desire of theirs to comply with Us, produced no better effect then an absolute deniall, even of what by Our former Messages (as that Declaration conceaves) We had promised; and so proceeds (under the pretence of mentioning evill and wicked Councels) to censure and reproach Us in a Dialect, that We are confident Our good Subjects will read with

much indignation on Our behalf. But sure if that Declaration had passed the Examination of both Houses of Parliament, they would never have affirmed that the Bill We refused to passe was the same We sent to them, or have thought that Our Message wherein the difference and contrarietie between the two Bils is so particularly set down, would be answered with the bare averring them to be one and the same Bill; No more would they have declared (when Our Exceptions to the Ordinance, and the Bill are so notoriously known to all Our People) that care being taken to give satisfaction in all the particulars We had excepted against in the Ordinance, We had found new exceptions to the Bill; And yet this very Declaration confesses, that Our exception to the Ordinance was, that in the disposing and execution thereof We were excluded. And was not this an expresse reason in Our Answer for Our refusall of the Bill which this Declaration will needs confute? But the power was no other then to suppresse Rebellion, Insurrection, and forreigne Invasion, and the Persons trusted no other then such as were nominated by the great Councell of the Kingdom, and assented to by Us; and that Declaration Asks if that be too great a Power to trust these persons with? Indeed whiles so great libertie is used in Voting and Declaring men to be Enemies to the Common-Wealth (an English phrase We scarcely understand) and in censuring Men for their service and attendance upon Our person, and in Our lawfull Commands, great heed must be taken

taken into what hands We commit such a Power to suppresse Insurrection and Rebellion. And if Insurrection and Rebellion have found other definitions then what the Law hath given them, We must be sure that no lawfull Power shall justifie those definitions; And if there be Learning found out to make Sir John Hothams taking Arms against Us, and keeping Our Town and Fort from Us, no Treason or Rebellion, We know not whether a new Discovery may not finde it Rebellion in Us, to defend Our self from such Arms, and to endeavour to recover what is so taken from Us: And therefore it concerns Us (till the known Law of the Land be allowed to be Judge between Us) to take heed into what hands We commit such Power: Besides, can it be thought that because We are willing to trust certain persons, that We are obliged to trust them in whatsoever they are willing to be trusted: We say, no private hands are fit for such a Trust, neither have We departed from any thing (in the least degree) We offered or promised before, though We might with as much reason have withdrawn our Trust from some Persons We before had accepted, as they did from others whom they recommended. For the Power which we are charged to have committed to particular Persons, for the space of fifteen yeers by Our Commissions of Lieutenancy, it is notoriously known, that it was not a Power created by Us, but continued very many yeers, and in the most happy times this Kingdom hath enjoyed (even those of Our renowned Predecessors Queen Eli.

zabeth, and Our Father of happy memory) and what ever Authoritie was granted by those Commissions which were kept in the old forms, the same was determinable at Our pleasure, and We know not that they produced any of those Calamities which might give Our good Subjects cause to be so weary of them as to run the hazard of so much mischief, as that Bill We refused might possibly have produced.

For the Presidents of former ages in the Commissions of Array, We doubt not but when any such have issued out, that the Kings consent was alwayes obteined, and the Commissions determinable at His pleasure, and then what the extent of power was, will be nothing applicable to this Case of the Ordinance.

But whether that Declaration hath refuted Our Reasons for Our refusall to passe the Bill or no, it hath resolved and required all Persons in authority thereby to put the Ordinance in present execution, and all others to obey it according to the fundamentall Lawes of the Land; But We whom God hath trusted to maintain and defend those fundamentall Lawes (which We hope He will blesse to secure Us) do declare that there is no legall power in either or both Houses, upon any pretence whatsoever, without Our consent, to command any part of the Militia of this Kingdom, nor hath the like ever been commanded by either or both Houses since the first foundation of the Lawes of this Land; and that the execution of, or the obedience to that pretended Ordinance, is against

gainſt the fundamentall Lawes of the Land, gainſt the liberty of the Subject, and the right of Parliaments, and a high crime in any that ſhall henceforth execute the ſame. And We do therefore charge and command all Our loving Subjects, of what degree or quality ſoever, upon their Allegiance, and as they tender the peace of this Kingdom, from henceforth not to Muſter, Leavy, or Array, or ſummon or warn any of Our Trained Bands, to Riſe, Muſter, or March by vertue or under colour of that pretended Ordinance: And to this declaration and command of Ours, We expect and require a full ſubmiſſion and obedience from all Our loving Subjects upon their Allegiance, as they will anſwer the contrary at their perils, and as they tender the upholding of the true Proteſtant profeſſion, the ſafety of Our Perſon, and Our Royall Poſterity, the Peace and Being of this Kingdom.

FINIS.